

S/D 10/734,848

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	WESTENDORF ET AL.	Examiner:	D. UNDERWOOD
Serial No.:	10/734,848	Group Art Unit:	3652
Filed:	DECEMBER 11, 2003	Docket No.:	12295.9USC1
Title:	BALE LIFT DEVICE, A FRONT END LOADER HAVING A BALE LIFT DEVICE, AND METHOD FOR MOVING BALES		

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**COMBINED TERMINAL DISCLAIMER AND  
CERTIFICATE UNDER 37 C.F.R. §3.73(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Petitioner, Westendorf Manufacturing Co., Inc., a corporation organized and existing under the laws of the State of Iowa and having its primary place of business at P.O. Box 29, Onawa, Iowa 51040, in the county of Monona, and the state of Iowa represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 10/734,848, filed on December 11, 2003 and entitled Bale Lift Device, A Front End Loader Having A Bale Lift Device, And Method For Moving Bales, by virtue of an assignment recorded at Reel 011745, Frame 0807-0810.

Petitioner, Westendorf Manufacturing Co., Inc., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,663,337 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,663,337, this agreement to run with any

patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of United States Patent No. 6,663,337, in the event that United States Patent No. 6,663,337 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

**CERTIFICATE UNDER 37 C.F.R. §3.73(b)**

Westendorf Manufacturing Co., Inc., a corporation organized and existing under the laws of the State of Iowa, having a place of business at P.O. Box 29, Onawa, Iowa 51040, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the patent application identified above. The assignment was recorded in the Patent and Trademark Office on April 25, 2001, at Reel 011745, Frame 0807-0810.

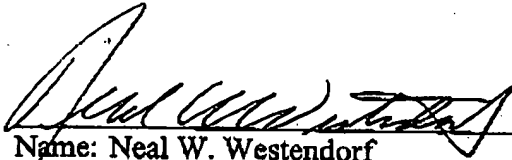
The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: \_\_\_\_\_

8/24/05



Name: Neal W. Westendorf

Title: President